

REMARKS

Claims 1-20 are pending.

35 U.S.C. § 103 Rejections

According to the Office Action, claims 1-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Du et al. ("Du;" U.S. Patent Application Publication No. 2004/0006690) in view of Schug (U.S. Patent Application Publication No. 2002/0091863).

The Examiner is respectfully directed to MPEP § 706.02(I)(1) and MPEP § 706.02(I)(2).

The instant application Serial No. 10/733,781 and the cited prior art reference U.S. Patent Application Publication No. 2004/0006690 (Du) were, at the time the invention of the instant application was made, subject to an obligation of assignment to the same assignee.

Accordingly, Applicants respectfully submit that Du is disqualified as prior art under 35 U.S.C. § 103(c). (There are a number of related U.S. applications cited in Du: Serial Nos. 10/272,740, 10/208,728, 09/969,060 and 09/921,171. Applicants submit that these applications also do not qualify as prior art under 35 U.S.C. § 103(c).)

Applicants further submit that Schug alone does not show or suggest the embodiments of the present invention set forth in claims 1-20.

Therefore, Applicants respectfully submit that the basis for rejecting claims 1-20 under 35 U.S.C. § 103(a) is traversed.

Conclusions

In light of the foregoing remarks, Applicants respectfully submit that the pending claims are in condition for allowance. Applicants respectfully request reconsideration of the application and allowance of the pending claims.

The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 50-4160.

Respectfully submitted,
MURABITO HAO & BARNES L.L.P.

Dated: October 10, 2008

/William A. Zarbis/

William A. Zarbis
Registration No. 46,120

Two North Market Street, 3rd Floor
San Jose, CA 95113

(408) 938-9060